

Application Number 10/029,355
Amendment dated July 18, 2005
Responsive to Office Action mailed May 16, 2005

REMARKS

This Amendment is responsive to the Final Office Action dated May 16, 2005. Applicant has amended claims 35, 40, 45 and 48-50, and cancelled claims 1, 3-6, 8-18, 20-23, 25-34, 39, 44, 53 and 54. Claims 35-38, 40-43 and 40-50 are pending.

Applicant has amended claims 35, 40, 45 and 48 to include the subject matter previously recited in claims 39 and 44 that the Examiner indicated was allowable. Applicant has amended claims 49 and 50 to correct a ministerial error.

Applicant respectfully requests entry of this Amendment, and submits that the Amendment places the Application in condition for allowance. In addition, because the Amendment merely cancels claims, amends claims to include limitations of cancelled claims, and amends claims to correct ministerial errors, the Amendment should require no further search, nor consideration of any new issues. Therefore, Applicant requests that the Examiner enter the Amendment, and immediately allow the Application.

Allowable Subject Matter

In the Final Office Action, the Examiner objected to claims 39 and 44 as being dependent on a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 39 and 44 depend directly from independent claims 35 and 40, respectively. In this Amendment, Applicant has amended independent claims 35 and 40 to include the limitations recited by claims 39 and 44, i.e., the subject matter which the Examiner has indicated is allowable, and cancelled claims 39 and 44. Consequently, claims 35 and 40, and the claims dependent therefrom, are in condition for allowance.

Applicant has also amended independent claims 45 and 48 to include the limitations previously recited in claims 39 and 44. Accordingly, claims 45 and 48, and the claims dependent therefrom, are in condition for allowance.

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Claim Rejections Under 35 U.S.C. § 103

In the Final Office Action, the Examiner rejected: claims 1, 3-6, 8-9, 11-14, 18, 20-23, 25-26, 28-31, 35-38 and 40-43 under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. 2002/0147502 by Price et al. in view of WO 01/10476 by Kippenhan et al.; claims 10, 15, 27 and 32 under 35 U.S.C. 103(a) as being unpatentable over Price et al. and Kippenhan et al. as applied to claims 9 and 1 and 26 and 30, and further in view of US Patent Application Publication No. 2002/0119074 by McGown, Jr.; claims 16 and 33 under 35 U.S.C. 103(a) as being unpatentable over Price et al. and Kippenhan et al. as applied to claims 1 and 30, and further in view of US Patent Application Publication No. 2002/0055853 by MacLeod Beck et al.; claims 17 and 34 under 35 U.S.C. 103(a) as being unpatentable over Price et al. and Kippenhan et al. as applied to claims 1 and 18, and further in view of US Patent Application Publication No. 2002/0194014 by Starnes et al.; claims 45-46 and 48-49 under 35 U.S.C. 103(a) as being unpatentable over Price et al. in view of US Patent Application Publication No. 2003/0055666 by Roddy et al.; claims 47 and 50 under 35 U.S.C. 103(a) as being unpatentable over Price et al. in view of Roddy et al. as applied to claims 45 and 48, and further in view of McGown, Jr.; and claims 53 and 54 under 35 U.S.C. 103(a) as being unpatentable over Price et al. in view of Kippenhan et al. and US Patent Application Publication No. 2002/0055853 by MacLeod Beck et al.

Applicant respectfully traverses these rejections. The applied references fail to disclose or suggest the inventions defined by Applicant's claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed invention.

However, in order to expedite allowance of this Application, Applicant has amended independent claims 35, 40, 45 and 48 to include subject matter that the Examiner has indicated is allowable, and cancelled claims 1, 3-6, 8-18, 20-23, 25-34, 39, 44, 53 and 54. Accordingly, these rejections are rendered moot.

Applicant reserves the right to pursue the cancelled claims and the non-cancelled claims as presented prior to this Amendment in one or more continuation applications.

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CONCLUSION

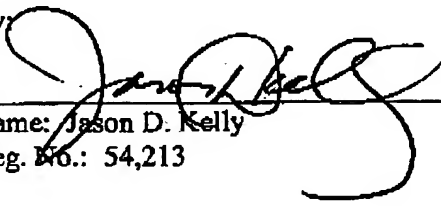
All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

7/18/2005

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